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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/017,329	02/02/1998	RYUICHI MATSUKURA	1083.1049/JD	8159
21171 7590 06/25/2008 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER WINDER, PATRICE L	
			ART UNIT	PAPER NUMBER
			2145	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/017,329

**Applicant(s)**

MATSUKURA, RYUICHI

**Examiner**

Patrice Winder

**Art Unit**

2145

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11, 16-22, 27 and 28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3, 5, 6, 10, 11, 20 and 21 is/are allowed.
- 6) ☒ Claim(s) 1-2, 4, 7-9, 16-19, 22, 27-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4, 7-9, 16-19, 22, and 27-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Scheifler et al., USPN 6,832,223 B1 (hereafter referred to as Scheifler).
4. [claims 1, 7, 8, 16-19] Scheifler taught a computer network system (abstract) including:

a network circuit (communication link 14); a first computer fixedly connected to said network circuit (server 12); and

plural connecting means (network interfaces) provided in said network circuit and capable of connecting and disconnecting a second computer (connecting and disconnecting to wireless network, column 5, lines 19-35);

wherein said first computer comprises resource information managing means for managing information relating to hardware or software, including place of installation in the real world for each of the hardware or software, which are usable through network circuit (column 14, lines 5-15, 30-32) and resource information processing means for taking out the hardware or software information from said resource information managing means in response to a request for information relating to usable hardware or software from another computer, and transmitting to said network circuit (column 16, lines 34-42).

a second computer comprises resource setting means for setting the hardware or software according to the hardware or software information transmitted by said resource information processing means of said first computer (column 16, lines 50-55),

when second computer is connected to said network circuit through any one of said plural connecting means, said resource setting means receives the hardware or software information transmitted by said resource information processing means of said first computer and directly set the hardware or software (column 16, lines 56-64).

5. [claims 4, 9] Scheifler taught a computer network system in which plural connecting means capable of connecting and disconnecting a computer is provided in a network circuit to which a computer is connected to said connecting means (network interface, column 5, lines 19-35), wherein

said computer comprises resource information managing means for managing plural sets of information relating to hardware or software, including a place of installation in the real world for each of the hardware or software, which are usable

through said network circuit corresponding to said connecting means (column 14, lines 5-15, 30-32; column 15, lines 46-51),

position selecting means for selecting one of the information relating to plural sets of hardware or software managed by said resource information managing means (column 15, lines 30-33), and

resource setting means for setting the hardware or software according to the information relating to the hardware or software corresponding to the position selected by said position selecting means (column 16, lines 35-49), and

when said computer is connected to said network through any one of said plural connecting means, said resource setting means obtains the hardware or software information corresponding to the position selected by said position selecting means from said resource information managing means, and directly sets the hardware or software (column 16, lines 50-55).

[claim 22] Scheifler taught the place of installation in the real word for each of the hardware or software is different (which building, column 15, lines 15-19).

[claim 27] Scheifler taught said computer is capable of being connected to said network through all of said plural connecting means (column 4, lines 40-50).

[claim 28] Scheifler taught said transmitting to said network circuit by said resource information processing means comprises downloading to said network circuit (column 16, lines 34-48), and said resource setting means sets the hardware or software according to the hardware information or software information downloaded by said resource information processing means (invoking stub, column 16, lines 34-48).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. [Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scheifler in view of Small et al., USPN 5,642,303 (hereafter referred to as Small).

8. [claim 2] Scheifler taught a computer network system (system 100) including:  
a network circuit (communication links 14); a first computer fixedly connected to said network circuit (server 12); and

plural connecting means provided in said network circuit and capable of connecting and disconnecting a second computer (network interfaces to wireless links, column 5, lines 19-35), wherein

said first computer comprises resource information managing means for managing information relating to hardware or software, including a place of installation in the real world for each of the hardware or software, which are usable through said network circuit (column 14, lines 5-15, 30-32), resource information processing means for taking out the hardware information or software information from said resource information managing means in response to a request for information relating to usable hardware or software from another computer, and transmitting to said network circuit

(column 16, lines 34-42), and resource installation position managing means for managing the position at which the hardware or software managed by said resource information managing means exists (column 15, lines 20-25),

said second computer comprises resource selecting means for selecting an arbitrary hardware information or software out of a plurality of the hardware or software (column 16, lines 26-28), and resource setting means for setting the hardware or software according to the hardware or software information selected by said resource selecting means (column 16, lines 50-55), and

said resource setting means of said second computer directly sets the hardware or software selected by said resource selecting means in the hardware information or software information received from said first computer (column 16, lines 50-55).

Scheiffler does not specifically teach the second computer comprises position noticing means. However, Small taught a second computer comprises position noticing means for noticing the position information indicating the position to a first computer when connected to one of a connecting means (column 7, lines 20-22), when said second computer is connected to said network circuit through any one of said plural connecting means, resource installation position managing means of said first computer reads out the hardware information or software information corresponding to the position information noticed by said position noticing means from said resource information managing means, and transmits to said second computer (column 5, lines 40-51). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Small's position noticing would have improved

effectiveness. The motivation would have been to provide more accurate position information.

***Allowable Subject Matter***

9. Claims 3, 5- 6, 10-11, 20-21 are allowed.

10. The following is an examiner's statement of reasons for allowance:

As to claim 3, the prior art of record fails to teach or suggest a second computer with comparing means that compares hardware or software information from its own memory to the installation information from a first computer.

As to claim 5, the prior art of record fails to teach or suggest a second computer that comprises comparing means for comparing the time of hardware or software information from a first computer was updated.

As to claim 6, the prior art of record fails to teach or suggest a computer comprises means for transmitting updated hardware or software information to all computers connected to the network.

As to claims 10-11, 20-21, the prior art of record fails to teach or suggest a computer comprising means for noticing updated hardware or software information of connecting means.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."



***Response to Arguments***

11. Applicant's arguments with respect to claims 1-11, 16—22, 27-28 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrice Winder/  
Primary Examiner, Art Unit 2145